



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carl Herman Haken

Examiner: Mylinh T. Tran

Serial Number: 09/519,242

Art Unit: 2174

Filed: March 6, 2000

Title: Graphical Interface Control System

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APPLICANTS BRIEF ON APPEAL

Commissioner for Patents
Washington, DC

Sir:

Applicant hereby appeals the Examiner's rejection of claims 1 -14 as set forth in the office action dated April 21, 2004. The Office Action set forth the third, non-final rejection of the claims on the same grounds and over the same prior art. The Notice of Appeal is filed concurrently. A credit card payment form for the requisite fees is enclosed

(1) Real Party in Interest

The inventor, Carl Herman Haken is the real party in interest.

(2) Related Appeals and Interferences

None.

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APPEAL BRIEF PATENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2004

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Jack E. Haken

(3) Status of the Claims

Claims 1 –14, all of the claims presented in this application, stand rejected and are appealed herein.

(4) Status of Amendments

The Examiner has not made a final rejection of this application; thus there were no amendments filed subsequent to final rejection. The Examiner has entered and responded to all amendments filed in this application.

(5) Summary of the Invention

The invention is a system and method for operating a computer system via a graphical desktop interface. In particular, the invention provides an interface which allows a user to easily control operation of two or more separate processors and displays using a single pointing device that is connected to a first of the processors.

With reference to Fig. 1, the first processor can be a personal computer 16, with display screen 12 and pointing device 14. Other processors with associated display devices are located in the vicinity of the first processor and by way of example may include a PDA 200, a cellular telephone 240 and a digital camera 210.

The system includes means that determine a relative direction from the display screen 12 to the displays associated with the other processors. For example, in Figure 1 a switch in an attached docking cradle 201 is used to sense that the PDA 200 with display screen 200a is positioned to the right of display screen 12; a directional infrared interface is used to sense that the digital camera 210 with display screen 210a is positioned above the

display screen 12; and a directional antenna system 172 is used to sense that the cellular telephone 240 with display 240a is positioned above and to the left of display screen 12.

The graphical interface is programmed to expand the graphical desktop interface on the first screen so that a cursor on the first display screen 12 can appear to move from that first screen onto the separate displays of the other processors in response to the sensed relative direction from the first display screen to the other display device. Thus in Figure 1, manipulation of mouse pointing device 14 to the right will cause the cursor 102 to move to the right edge of display screen 12 at which time it will disappear from screen 12 and reappear under control of the pointing device on the display 200a of the PDA. Likewise respective movement of the cursor to the top or to the left top corner of display screen 12 will cause the cursor to appear to transfer to the display of the digital camera or the cellular telephone.

(6) Issues

Claims 1 –14 stand rejected under 35 U.S.C. 103(a) as obvious over the Shimizu and Ahern patents and of various unidentified “teachings” of which the Examiners states to have taken official notice. Applicant contends that the Examiner has not set forth a *prima facie* case of obviousness, that elements of the rejected claims are neither described nor suggested by the cited prior art and that a person of ordinary skill would not have any reason to combine the cited references and teachings.

(7) Grouping of the Claims

Claims 1 – 7 and 11 –14 stand as a group.

Claims 8 features the unobvious use of a docking cradle with means to sense the relative direction of the displays. Claim 8 is separately argued and stands by itself as a separate group.

Claim 9 features the unobvious use of a directional antenna array to determine the relative direction. Claim 9 is separately argued and stands by itself as a separate group.

Claim 10 features the unobvious use of directional infrared sensors to determine the relative direction. Claim 10 is separately argued and stands by itself as a separate group.

(8) Argument

The Examiner has not made a *prime facie* case of obviousness because:

Neither the Shimizu patent nor the Ahern patent describe or suggest a system or method which can determine the relative direction from a first display screen to a second display device and neither Shimizu nor Ahern is concerned with or describes determining the relative direction from a first device to a second movable device. The portions of the Shimizu reference which the Examiner cites as describing these features (*viz* column 7, line 9 – 52 and column 8 lines 20 – 40) appear to describe a method of scaling the rate of cursor movement on displays having different sizes and plainly and simply do not have anything to do with the claimed sensing of a physical direction between two pieces of apparatus. The sensed direction is intimately utilized in and by the final means and steps of each of the independent claims and without knowledge of the relative direction it is clearly impossible to implement those means and steps. The rejection of independent claims 1, 13 and 14 and of the claims that depend from claim 1 is thus clearly improper and should be reversed. Claims 1 – 14 should be allowed.

The rejection of claims 1, 12 and 13, and the claims which depend from them is further in error because neither the Shimizu patent nor the Ahern patent describe or suggest a system or method wherein a cursor on a visual display is caused to move to and disappear off of an edge of a first display screen with the appearance of a new cursor on a second screen. The portions of the Shimizu patent which the Examiner cites for this purpose (viz column 2, line 56 – column 3, line 15, column 5, lines 21 –25, column 9, lines 10 –50 and Fig 7) describe a computer system with multiple display screens, but there is no indication that the cursor disappears from one screen when it moves to another, much less disappearing at the edge of one screen and appearing at the corresponding edge of another.. The general context of the patent specifications suggests that the cursor is displayed on multiple screens at the same time.

Dependent claim 8 relates to the system of claim 1 wherein the means which sense the relative direction from the first display screen to the second display are located in a docking cradle which is attached to an edge of the first display screen. The corresponding structure described in the patent specification is a switch 203 or noncontacting sensor.

The Examiner does not cite any prior art reference as describing these features, choosing instead to take “official notice” that docking cradles are well known. Applicant does not dispute that docking cradles, *per se* were known in the art at the time this invention was made, but the Examiner has utterly failed to address the sensing means and function specified in claim 8 and its physical disposition within the cradle. The Examiner has thus failed to make a *prime facie* case of obviousness and the rejection of claim 8 should be reversed.

Dependent claim 9 features a directional antenna for determining the relative direction from a first display screen to a second display on a device that communicates via a wireless interface. The Examiner cites no reference as describing these features but takes official notice of the fact that: “nowadays there are plural devices for communicating with each other without a wire...” and that modifying such device and determining a directional antenna array would have been obvious.

The Examiner has failed to comply with the law and rules by citing a written reference or other creditable evidence of prior art. The state of the art “nowadays” is irrelevant to the allowability of the presented claims. The existence of wireless devices and directional antenna arrays prior to the date the invention was made will not, by itself establish obviousness absent a showing that a person of ordinary skill would have a suggestion to combine them with the other elements of the claim. The Examiner has failed to present a *prima facie* case of obviousness and the rejection of claim 9 should be reversed.

Claim 10 features a directional infrared array for determining the relative direction from the display screen to a second device with a display. Again the Examiner does not cite any reference or other creditable prior art having these features.

Applicant repeats the same arguments presented above with regard to claim 9, *mutatis mutandis* as to claim 10. The Examiner has failed to comply with the statute and rules and has not made a *prime facie* case of obviousness; the rejection of claim 10 should be reversed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J E H', with a long horizontal flourish extending to the right.

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July 3, 2004

(9) APPENDIX - THE CLAIMS ON APPEAL

1. A system for processing and displaying data comprising:

a first processor which functions to generate a first image of a first graphical desktop user interface;

a first display screen disposed at a first screen location and connected to the first processor to display the first image;

a first pointing device connected to the first processor to control movement of a first cursor in the first image;

second processor means which include second visual display means and which are disposed at a second display location which is movable in relation to the first screen location of the first display screen;

means for communicating signals between the first processor and the second processor means;

means which determine a first relative direction, from the first screen location of the first display screen to the second display location of the second visual display means; and

program means which expand the display of the graphical desktop user interface onto the second visual display means at times when first processor is communicating with the second processor means and the second visual display means are also in the vicinity of the first display screen so that movement of the first pointing device in the first relative direction causes the first cursor to move to and to disappear at an edge of first display screen and further causes the appearance of a new visual indication on the second visual display means.

2. The system of claim 1 wherein the second visual display means comprise a second display screen and wherein the program means function so that movement of the first pointing device in the first relative direction causes the first cursor to move to and disappear off an edge of the first display screen in a direction toward the second visual display means and to apparently seamlessly appear as a new cursor on the second display screen.

3. The system of claim 2 wherein the program means function so that the new cursor appears at an edge of the second display screen which is oriented toward the first display screen.

4. The system of claim 2 wherein the first pointing device further functions to control movement of the new cursor on the second display screen.

5. The system of claim 2 wherein the program means function to cause the first cursor to reappear on the first display screen whenever the new cursor is moved off the edge of the second display screen in a direction toward the first display screen.

6. The system of claim 1 wherein the first pointing device controls the appearance and apparent movement of the new visual indication on the second visual display means.
7. The system of claim 1 wherein the means for communicating is a docking cradle attached at an edge of the first display screen for supporting the second processor means.
8. The system of claim 7 wherein the means which determine comprise means which sense that the second processor means are in the cradle.
9. The system of claim 1 wherein the means for communicating are a wireless interface and wherein the means which determine comprise a directional antenna array.
10. The system of claim 1 wherein the means which communicate are an infrared light interface and the means which determine are directional infrared sensors.
11. The system of claim 1 wherein the second visual display means comprise one or more indicator lights.
12. The system of claim 1, wherein the second processor means is a device selected from the group consisting of: personal data assistants, laptop computers, digital cameras, audio players, video games, cordless telephones, cellular telephones, television receivers, VCR's and scanners.

13. A method for processing and displaying data comprising:

generating a first graphical desktop user interface image on a first display screen which is disposed at a first screen location with a first processor;

using a first pointing device to control movement of a cursor on the first interface image;

communicating signals between the first processor and second processor means, which second processor means are disposed at a second display location which is movable in relation to the first screen location of the first display screen and which include second visual display means;

determining a first relative direction from the first screen location of the first display screen to the second display location of the visual display means; and

expanding the display of graphical desktop user interface onto the visual display means at times when first processor is communicating with the second processor means and the second processor means are also in the vicinity the display screen so that movement of the first pointing device in the first direction causes the cursor to move to and to disappear off of an edge of first display screen and further causes the appearance of a new visual indication on the second visual display means.

14. A system for processing and displaying data comprising:

a first processor which functions to generate an first image of a desktop graphical user interface;

a first display screen disposed at a first screen location and connected to the first processor to display the first image;

a first pointing device connected to the first processor to control movement of a cursor in the first image;

second processor means which include second visual display means and which are disposed at a second display location which is movable in relation to the first display screen;

means for communicating signals between the first processor and the second processor means;

means which determine a first relative direction from the first screen location of the first display screen to the second display location of the second visual display means; and

program means operating within at least the first processor to allow selection or movement of an indication on the second visual display means in response to operation of the first pointing device at times when first processor is communicating with the second processor means and the second processor means are also in the vicinity the first display screen so that operation of the first pointing device in the first direction causes the cursor to move to and to disappear off of an edge of first display screen together with a corresponding visual indication on the second visual display means.